

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

OCT 08 2014

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Clerk of Court

United States of America

v.

Case No. M-14-1957-M

REYNA-Lerma, Alfredo

YOB: 1982

USC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/7/2014 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally possess,
with intent to distribute approximately
310.5 kilograms of marijuana, a Schedule
I controlled Substance under the
Controlled Substance Act.

This criminal complaint is based on these facts:

On October 7, 2014, United States Border Patrol Collateral Intelligence Agents were conducting surveillance operations in unmarked Border Patrol Units in El Chaparral neighborhood. This area is well known for narcotic and alien smuggling. The neighborhood has direct access to the Rio Grande River which is approximately 1 mile south of the neighborhood.

At approximately 9:10 a.m., Border Patrol Agent (BPA) M. Benavides observed and relayed via his service radio to nearby agents that a black in color Ford Expedition was leaving the El Chaparral neighborhood at a high rate of speed and appeared to be heavily laden.

☒ Continued on the attached sheet.

Approved by ALE:
[Signature]
AUSA

10.8 - 14

Sworn to before me and signed in my presence.

Date: 10/08/2014
4/29/2014 [Signature]

City and state: McAllen, Texas

[Signature]
Complainant's signature

Joseph Behlke Special Agent, DEA

Printed name and title

[Signature]
Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

ATTACHMENT I

BPA Benavides observed the Ford Expedition disregard a stop sign at the intersection of Highway 83 and El Chaparral St., which almost led to an accident with traffic on Highway 83. BPA Benavides observed the vehicle travel west on Highway 83 and attempted to go north on an alley road that connects to Santa Cruz St.

BPA B. Cuevas and BPA R. Medrano were traveling south on the alley road while BPA M. Benavides was relaying the information. BPA B. Cuevas and BPA R. Medrano were able to observe the driver of the vehicle to be a heavy set male wearing a dark in color shirt. BPA B. Cuevas was able to observe several loose bundles in the back seat of the Expedition. The driver of the Expedition then reversed back onto Highway 83 and traveled west to Garza St, where it then traveled north.

At this time BPA R. Castillo was able to get behind the black in color Ford Expedition in his assigned marked unit. The driver of the Expedition, later identified as Alfredo REYNA-Lerma, continued to travel north on Garza St. The Ford Expedition then traveled west for a short distance on Doria St. until it turned north on a dirt road where the Ford Expedition struck a barbed wire fence.

BPA R. Castillo was able to locate the black in color Ford Expedition in a brushy area with several bundles of narcotics in it north of Doria St. The driver of the vehicle was not present when the vehicle was found. BPA O. Torres and his canine Zero arrived at the scene and were able to locate a subject, Alfredo REYNA-Lerma, who matched the description of the driver of the black Ford Expedition.

BPA J. Torres transported the marijuana to the Rio Grande City Border Patrol Station for processing. BPA R. Castillo transported REYNA-Lerma to the Rio Grande City Border Patrol Station for proper processing.

Once at the Rio Grande City Border Patrol Station, the narcotics were tested using the 908 Duquenois-Levine Reagent and the results were positive for Marijuana. The seizure amounted to 60 bricks of marijuana wrapped in brown packing tape weighing 310.5 kilograms.

On October 7, 2014, DEA Special Agent Joseph Behlke was contacted regarding the seizure and Alfredo REYNA-Lerma. At approximately 2:00 pm, SA Behlke and SA Aldo Benavides responded to the Rio Grande City Border Patrol Station. At approximately 2:22 pm, SA Behlke as witnessed by SA Benavides read REYNA-Lerma his Miranda Rights. REYNA-Lerma stated he understood his rights and agreed to speak with agents. REYNA stated that he was trying to get some money for his family and was supposed to be a lookout for the marijuana load. REYNA stated that he couldn't find another driver for the load vehicle so REYNA decided to drive. REYNA further stated that he was going to get paid \$5.00 per pound for the transportation of the marijuana from the river to his house. REYNA stated that approximately five guys loaded the Ford Expedition at the river. REYNA stated that once at his house, he would keep the marijuana there for a couple of hours to cool down and then it would be transported to a stash house. REYNA did not provide any other details regarding the

arrest. SA Behlke contacted Assistant United States Attorney Leo J. Leo regarding the arrest and seizure. AUSA Leo accepted prosecution of the case.